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PATENT

Attorney Docket No. IBM/112
Confirmation No. 6131

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Troy David Armstrong et al. **Art Unit:** 2182
Serial No.: 09/456,211 **Examiner:** Joshua D. Schneider
Filed: December 7, 1999 **Atty. Docket No.:** IBM/112
For: FAIR ELEVATOR SCHEDULING ALGORITHM FOR DIRECT ACCESS STORAGE
DEVICE

Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

**NOTICE OF APPEAL FROM
THE PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed **January 24, 2003** finally rejecting claims 1-29.

The item(s) checked below are appropriate:

1. Applicants hereby petition for a month extension of time to reply to the final rejection. A check in the amount of \$ is attached.
2. X Appeal Fee: XXX Other than a small entity Fee: \$320.00
 Small Entity Fee: \$
 Verified Statement attached
 Verified Statement filed previously
3. X Payment
 Check attached for the sum of \$.
 XXX Please charge the sum of \$320.00 , any deficiency or credit
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Respectfully submitted,

By:

Scott A. Stinebruner
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Date: 24 APRIL 2003

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Page 1 of 1
Serial No. 09/456,211
IBM Docket RO999104
WH&E IBM/112
Notice of Appeal
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I hereby certify that this correspondence and the enclosures noted herein (3 total pages) are being transmitted via facsimile transmission to Examiner Joshua D. Schneider, Assistant Commissioner for Patents, Washington, D.C. 20231 at 703-746-7238 on April 24, 2003.

Judith L. Volk
Judith L. Volk

Date

April 24, 2003

Page 1 of 1
Serial No. 09/456,211
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 AND UNFAIR COMPETITION LAW
 AND RELATED LITIGATION

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April 24, 2003

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To: Examiner Joshua D. Schneider
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 Washington, D.C. 20231

From: Scott A. Stinebruner
 Reg. No. 38,323

Fax: 703-746-7238

Re: U.S. Patent Application
 Serial No. 09/456,211
 Filed: December 7, 1999
 Applicant: Troy David Armstrong et al.
 Art Unit: 2182
 Confirmation No.: 6131
 Our Ref: IBM/112

Enclosures:

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Pages: 3 (including cover sheet)

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Judith L. Volk
 Judith L. Volk

April 24, 2003
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